

REMARKS

The Examiner has rejected Claims 30, 31, 34-36, 42, 53, and 54 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,286,185 to Ramsauer (“Ramsauer”) in view of U.S. Patent No. 1,538,320 to Gullong (“Gullong”) and U.S. Patent No. 3,583,736 to Willimzik (“Willimzik”).

Claim 30 is currently amended without prejudice hereby. Claim 59 is new.

Claims 1-29, 37, and 39 stand previously canceled. Claims 32, 33, 38, 40, 41, 43-52, and 55-58 stand previously withdrawn. Claims 30-36, 38, and 40-58 are currently pending. The following remarks are considered by applicant to overcome each of the Examiner’s outstanding rejections to current Claims 30, 31, 34-36, 53, and 54. An early Notice of Allowance is therefore requested.

I. SUMMARY OF RELEVANT LAW

The determination of obviousness rests on whether the claimed invention as a whole would have been obvious to a person of ordinary skill in the art at the time the invention was made. In determining obviousness, four factors should be weighed: (1) the scope and content of the prior art, (2) the differences between the art and the claims at issue, (3) the level of ordinary skill in the art, and (4) whatever objective evidence may be present. Obviousness may not be established using hindsight or in view of the teachings or suggestions of the inventor. The Examiner carries the burden under 35 U.S.C. § 103 to establish a prima facie case of obviousness and must show that the references relied on teach or suggest all of the limitations of the claims.

II. REJECTION OF CLAIMS 30, 31, 34-36, 53, AND 54 UNDER 35 U.S.C.§ 103(A) BASED ON RAMSAUER IN VIEW OF GULLONG AND WILLIMZIK

On page 3 of the current Office Action, the Examiner rejects Claims 30, 31, 34-36, 53, and 54 pursuant to 35 U.S.C. § 103(a) as being unpatentable over Ramsauer in view of Gullong and Willimzik. These rejections are respectfully traversed and believed overcome in view of the following discussion.

Amended independent Claim 30 now states, in part:

“(1) a first smooth inclined surface which, when assembled, contacts the rim or edge of the opening so as to support the body part on the rim or edge of the opening without play, **an inclination angle of the inclined surface being small enough such that force lock is provided for support**” (emphasis added).

Where Ramsauer, Gullong, and Willimzik have an inclined surface for support, they teach using a **form lock**. In particular, Willimzik’s inclined surface of the holding element 12, 13 has the same form as the corresponding undercut surface for abutment to the holding element. Gullong also teaches a form lock: a serrated surface to accommodate the form of a tooth provided by the cross section of the edge of the opening in the thin wall. Accordingly, the references fail to teach or render predictable “(1) a first smooth inclined surface which, when assembled, contacts the rim or edge of the opening so as to support the body part on the rim or edge of the opening without play, **an inclination angle of the inclined surface being small enough such that force lock is provided for support**.”

Applicant respectfully asserts that Ramsauer, Gullong, and Willimzik alone or in combination fail to disclose or render predictable the all the features of independent claim 30. Claims 31, 34-36, 42, 53, and 54 are each ultimately dependent from Claim 30. Therefore, Applicant respectfully requests that Examiner remove the rejection of Claims 30, 31, 34-36, 42, 53, and 54 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,286,185 to Ramsauer in view of U.S. Patent No. 1,538,320 to Gullong and U.S. Patent No. 3,583,736 to Willimzik.

With respect to the dependent claims, new claim 59 recites “the at least one hinge part is configured to be mounted in a **rectangular** opening in a thin wall.” The rim of the rectangular opening being and continuous rectangle has the advantage of being a non-rotatable support of high stability, even when the wall is thin. The stability stems from the fact that the holding elements have a strength line of support, supporting the whole extension of the one side of the rectangle opening, the opposite side of the rectangle being supported by the second holding element likewise being support for the whole extension side of the rectangle. The remaining sides oppose one another and connect the supporting sides of the rectangle by the geometrically shortest line possible: a straight line.

Fig. 2 of Gullong teaches, in contrast, a circular opening. A circular opening does not provide for such stable support. Moreover, Gullong's small holding element tends to cut into the side walls of the opening 2 in the thin wall 1, and does so with a higher load.

Accordingly, Applicant respectfully asserts that Gullong alone or in combination with the remaining references, fails to disclose or render predictable, *inter alia*, "the at least one hinge part is configured to be mounted in a ~~rectangular~~ opening in a thin wall" as recited dependent claim 59. Therefore, Applicant respectfully urges that Claim 59 is allowable for this reason as well.

III. WITHDRAWN CLAIMS 32, 33, 38, 40, 41, 43-52, AND 55-58

Claims 32, 33, 38, 40, 41, 43-52, and 55-58 are each ultimately dependent from independent Claim 30. As Claim 30 is allowable, so must be Claims 32, 33, 38, 40, 41, 43-52, and 55-58. Accordingly, Applicant respectfully asserts that Claims 32, 33, 38, 40, 41, 43-52, and 55-58 are now in allowable form. Therefore, Applicant respectfully requests Examiner rejoin and allow currently withdrawn Claims 32, 33, 38, 40, 41, 43-52, and 55-58.

Based upon the above remarks, Applicant respectfully requests reconsideration of this application and its early allowance. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

Respectfully submitted,

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